

DJONIBEK RAHMANKULOV
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EMERGENCY LETTER-MOTION

May 8, 2023

The Honorable Ronnie Abrams
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

The Court recommends that Mr. Rahmankulov remain detained at the MDC until his appeal is decided.

SO ORDERED.



Ronnie Abrams, U.S.D.J.
May 9, 2023

Re: *United States v. Djonibek Rahmankulov*, 20 Cr. 653 (RA)

Dear Judge Abrams:

Defendant respectfully submits this Emergency Letter-Motion seeking an immediate order directing that he be retained at the Metropolitan Detention Center in Brooklyn, New York, where he is currently housed, for a reasonable period of time to afford him a meaningful opportunity to confer with appellate counsel and to assist with the preparation of his direct appeal from the judgment of conviction and sentence entered by this Court. Defendant makes this request pursuant to Rule 38 of the Federal Rules of Criminal Procedure.

Defendant previously filed a motion for identical relief and this Court has taken no action on that motion. Defendant has also sought his release on bail, and a stay of the sentence imposed, pending the disposition of his direct appeal. Despite its ripeness for adjudication, the Court has taken no action on that motion either.

Since filing the original motion for an order pursuant to Rule 38, Defendant's former attorney moved in the United States Court of Appeals to be relieved as counsel. The Second Circuit has since granted that motion, and subsequently directed Defendant to submit a financial affidavit attesting to his indigency. That affidavit has been furnished upon the Second Circuit, but the Court has yet to adjudicate the request for the appointment of CJA appellate counsel.

In the meantime, the Bureau of Prisons has readied this Defendant for transportation from the MDC in Brooklyn to a facility a considerable distance outside of the New York region, and one in which he will almost certainly not be able to meet with counsel to discuss the appeal or to assist in the preparation of that appeal. Thus, the interest of justice warrants an immediate order directing that Defendant be retained at the MDC in Brooklyn, lest his substantial rights will be adversely affected.

The Government would not be prejudiced by the granting of this motion, and considerable resources could be conserved by granting this request – both judicial and governmental.

Wherefore, Defendant respectfully requests that the Court issue an emergent order directing that Defendant be retained at the MDC in Brooklyn.

Respectfully submitted,

Djonibek Rahmankulov

DJONIBEK RAHMANKULOV

CERTIFICATE OF SERVICE

This shall certify that a true and correct copy of this Emergency Letter-Motion has been furnished upon the Office of the United States Attorney for the Southern District of New York, at One Saint Andrew's Plaza, New York, New York, on this 8th day of May, 2023, by my having caused same to be so furnished thereupon by United States Mail, Postage Prepaid.

Djonibek Rahmankulov

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